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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

YUN, EUGENE

ART UNIT	PAPER NUMBER
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2682

11

DATE MAILED: 05/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/644,067

Applicant(s)

ANDERSEN ET AL.

Examiner

Eugene Yun

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 19-43 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 19-43 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 August 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 2/5/2004 has been entered.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 19, 20, 35-37, 42, and 43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nils (GB 2325371 "IDS") in view of Yoon et al. (US 6,628,971).

Referring to Claim 19, Nils teaches a communication unit comprising:

a cover part 26 (fig. 6) which is removable from a remainder of the communication unit 55 (fig. 6), with the remainder of the communication unit including a cavity 28 (fig. 6) containing internal parts of the communication unit which are not accessible to the user during use; and

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a picture holder releasably holding a picture and holding the picture inside the cavity for viewing through the cover part (see ABSTRACT), and wherein

during use of the communication unit the cover part is not removed and the cavity is closed (see fig. 6 where the cover 26 is most likely in closed position when a user uses the phone).

Nils does not teach the cavity containing a display which displays information to a user during use of the communication unit. Yoon teaches the cavity containing a display which displays information to a user during use of the communication unit (see col. 1, lines 25-35). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teachings of Yoon to said unit of Nils in order to better the exterior appearance of a communication unit.

Referring to Claim 35, Nils teaches a communication unit including a cover part 26 (fig. 6) which is removable from a remainder of the communication unit 55 (fig. 6), the remainder of the communication unit including a cavity 28 (fig. 6) containing internal parts of the communication unit which are not accessible to a user during use, and a picture holder releasably holding a picture and holding the picture inside the cavity for viewing through the cover part by the user during the use of the communication unit (see ABSTRACT), and wherein during use of the communication unit the cover part is not removed and the cavity is closed (see fig. 6 where the cover 26 is most likely in closed position when a user uses the phone), a method comprising:

choosing a picture to be releasably held by the picture holder;

placing the picture in the picture holder;

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attaching the cover part to the remainder of the communication unit to close the cavity (see fig. 6 and ABSTRACT).

Nils does not teach the cavity containing a display which displays information to a user during use of the communication unit. Yoon teaches the cavity containing a display which displays information to a user during use of the communication unit (see col. 1, lines 25-35). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teachings of Yoon to said unit of Nils in order to better the exterior appearance of a communication unit.

Referring to Claim 36, Nils teaches a communication unit including a cover part 26 (fig. 6) which is removable from a remainder of the communication unit 55 (fig. 6), the remainder of the communication unit including a cavity 28 (fig. 6) containing internal parts of the communication unit which are not accessible to a user during use, and a picture holder releasably holding a picture and holding the picture inside the cavity for viewing through the cover part by the user during the use of the communication unit (see ABSTRACT), and wherein during use of the communication unit the cover part is not removed and the cavity is closed (see fig. 6 where the cover 26 is most likely in closed position when a user uses the phone), a method comprising:

- removing a picture held by the picture holder;

- replacing the picture in the holder; and

- attaching the cover part to the remainder of the communication unit to close the cavity (see fig. 6 and ABSTRACT).

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Nils does not teach the cavity containing a display which displays information to a user during use of the communication unit. Yoon teaches the cavity containing a display which displays information to a user during use of the communication unit (see col. 1, lines 25-35). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teachings of Yoon to said unit of Nils in order to better the exterior appearance of a communication unit.

Referring to Claim 37, Nils teaches a communication unit including a cover part 26 (fig. 6) which is removable from a remainder of the communication unit 55 (fig. 6), the remainder of the communication unit including a cavity 28 (fig. 6) containing internal parts of the communication unit which are not accessible to a user during use, and a picture holder releasably holding a picture and holding the picture inside the cavity for viewing through the cover part by the user during the use of the communication unit (see ABSTRACT), and wherein during use of the communication unit the cover part is not removed and the cavity is closed (see fig. 6 where the cover 26 is most likely in closed position when a user uses the phone), a method comprising:

a picture guide provided for holding the picture 27 and 28 (fig. 6).

Nils does not teach the cavity containing a display which displays information to a user during use of the communication unit. Yoon teaches the cavity containing a display which displays information to a user during use of the communication unit (see col. 1, lines 25-35). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teachings of Yoon to said unit of Nils in order to better the exterior appearance of a communication unit.

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Referring to Claim 43, Nils teaches a communication unit including a cover part 26 (fig. 6) which is removable from a remainder of the communication unit 55 (fig. 6), the remainder of the communication unit including a cavity 28 (fig. 6) containing internal parts of the communication unit which are not accessible to a user during use, and a picture holder releasably holding a picture and holding the picture inside the cavity for viewing through the cover part by the user during the use of the communication unit (see ABSTRACT), and wherein during use of the communication unit the cover part is not removed and the cavity is closed (see fig. 6 where the cover 26 is most likely in closed position when a user uses the phone), a method comprising:

choosing a picture to be releasably held by the picture guide;

placing the picture which has been chosen in the picture guide on the cover part;

and

attaching the cover part to the remainder of the communication unit to close the cavity (see fig. 6 and ABSTRACT).

Nils does not teach the cavity containing a display which displays information to a user during use of the communication unit. Yoon teaches the cavity containing a display which displays information to a user during use of the communication unit (see col. 1, lines 25-35). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teachings of Yoon to said unit of Nils in order to better the exterior appearance of a communication unit.

Referring to Claim 20, Nils also teaches the cover part as a front cover part of a mobile phone and the picture is releasably held by attachment of the picture holder to an internal part of the communication unit within the cavity (see fig. 6).

Referring to Claim 42, Nils also teaches the picture guide including an adhesive transparent film on which a picture is placed that is attached to the cover part (see pg. 15, lines 20-23).

4. Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nils and Yoon in view of Rossi (US 5,664,013 "IDS").

The combination of Nils and Yoon does not teach the cover part as a back cover part of a mobile phone and the picture holder located on an inside surface of the back cover part which faces the cavity. Rossi teaches the cover part as a back cover part of a mobile phone and the picture holder located on an inside surface of the back cover part which faces the cavity (see fig. 2). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teachings of Rossi to said unit of Nils in order to more easily be able to identify a specific phone.

5. Claims 22-25, 28-31, 38, 39, and 41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nils and Yoon in view of Herrndobler (US 5,619,814).

Referring to Claims 22, 23 and 38, Nils teaches a picture guide comprising of a holding flap 26 (fig. 6) of a plastic film that is at one end attached to the cover part 27 (fig. 6) of the communication unit. The combination of Nils and Yoon does not teach an

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adhesive strip in the middle part of the flap. Herrndobler teaches an adhesive strip in the middle part of the flap 31 (fig. 5). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teachings of Herrndobler to said unit of Nils in order to better prevent misplacement of photos or pictures in a holder.

Referring to Claims 24, 25 and 39, Herrndobler also teaches the adhesive strip holds a picture in a same place while in the picture guide (see col. 5, lines 41-52).

Referring to Claim 28, 29 and 41, Nils also teaches the picture guide including a plastic film attached to the cover part along three sides of the film (see fig. 6).

Referring to Claims 30 and 31, Nils also teaches the picture guide including an adhesive transparent film on which a picture is placed that is attached to the cover part (see pg. 15, lines 20-23).

6. Claims 26, 27 and 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nils, Yoon and Herrndobler in view of Sharp (US 3,921,322).

Referring to Claims 26, 27 and 40, the combination of Nils, Yoon and Herrndobler does not teach the picture guide including small stickers placed in all four corners of the picture. Sharp teaches the picture guide including small stickers placed in all four corners of the picture (see col. 1, lines 13-16). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teachings of Sharp to said unit of Nils in order to better prevent misplacement of photos or pictures in a holder.

7. Claims 32-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nils and Yoon in view of Yasuda et al. (US 4,405,219).

Referring to Claim 32, the combination of Nils and Yoon does not teach the holder associated with a display assembly for displaying text and numbers to the user. Yasuda teaches the holder associated with a display assembly for displaying text and numbers to the user (see ABSTRACT). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teachings of Yasuda to said unit of Nils in order to more uniquely personalize a communication unit.

Referring to Claim 33, Yasuda also teaches said picture comprising a sheet having at least one picture and one extractive part and the at least one picture is substantially a same size as the display and the extractable part projects from a slot between the display and an internal light guide of the communication unit (see ABSTRACT and fig. 60).

Referring to Claim 34, Yasuda also teaches the holder provided with an insert whereon the picture is mounted and that the insert is inserted in a slot between the display and a light guide (see ABSTRACT).

Response to Arguments

8. Applicant's arguments with respect to claims 19-43 have been considered but are moot in view of the new ground(s) of rejection.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eugene Yun whose telephone number is (703) 305-2689. The examiner can normally be reached on 8:30am-5:30pm Alt. Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivian Chin can be reached on (703) 308-6739. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Eugene Yun
Examiner
Art Unit 2682

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